

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.  
★ JUL 11 2005 ★  
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

— against —

DARRYL TYLER,

Defendant.

-----X

MEMORANDUM & ORDER  
01-CR-922

WEINSTEIN, Senior District Judge:


Pursuant to a remand from the United States Court of Appeals for the Second Circuit,  
Darryl Tyler moves the court for resentencing.

For the reasons stated orally on the record at the hearing on June 27, 2005, the motion for  
resentence is granted. Resentencing shall occur on September 16, 2005 at 10:00 a.m.

The government shall arrange for the defendant's appearance at the hearing. Probation  
shall provide an addendum to the presentence investigation report.

If either party wishes a jury trial on any enhancement factor the court shall be notified in  
writing within ten days.

SO ORDERED.

  
Jack B. Weinstein  
Senior U.S.D.J.

Dated: June 27, 2005  
Brooklyn, New York

